

Reports of the Community Services Committee Meeting held at 5.30pm on Tuesday, 10 November 2015.

APOLOGIES

ACKNOWLEDGEMENT OF LAND

DECLARATIONS OF INTEREST

Pecuniary Interests

Non Pecuniary – Significant Interests

Non Pecuniary – Less than Significant Interests

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Minutes of the Community Services Committee held on 10 November 2015

Present

Councillor T Rowell (Chairperson)
Councillor G Bricevic
Councillor W Glynn
Councillor M Oates
Councillor R Thompson
General Manager – Ms L Deitz
Acting Director Community Services - Mrs J Uluibau
Director Strategy - Mr J Lawrence
Manager Communications and Marketing - Mrs B Naylor
Manager Community Resources and Development - Mr B McCausland
Manager Cultural Services - Mr M Dagostino
Manager Healthy Lifestyles - Mr M Berriman
Manager Library Services - Mr G White
Manager Technical Services - Mr K Lynch
Policy and Governance Coordinator - Ms J Warner
Education and Care Services Coordinator - Ms L Coghlan
Executive Assistant - Mrs K Peters

Apology

(Rowell/Oates)

That the apology from Councillor Lound and Matheson be received and accepted.

CARRIED

Also in Attendance

Koshigaya Exchange Employee - Masakazu Higuchi

Acknowledgement of Land

An Acknowledgement of Land was presented by the Chairperson Councillor Rowell.

DECLARATIONS OF INTEREST

There were no Declarations of Interest at this meeting.

1. COMMUNICATIONS AND MARKETING

No reports this round

2. COMMUNITY RESOURCES AND DEVELOPMENT

2.1 2015 Round Two Community Grants

Reporting Officer

Manager Community Resources and Development

Attachments

Copies of Grant Applications (distributed under separate cover - confidential due to privacy - not available to members of the public)

Purpose

To assist Council in its determination of applications for financial assistance under the Community Grants Program.

Report

Community groups may apply for a maximum of \$1,000 to develop and support local community programs and activities. Council has a total of up to \$8,000 to distribute in this funding round.

Advertisements were placed in local newspapers on 11 and 12 August as well as 18 and 19 August 2015 and circulated through community networks. A well-attended community information session was held on 31 August 2015 in Council's Staff Training Centre. All applicants were required to discuss their application with an appropriate Council Officer. A project planning workshop was also held on the 23 September for prospective applicants to assist with the project development processes. Support and advice was given to applicants prior to submission of the application to ensure the practicalities of the project are reflected in the application and the application is consistent with the guidelines of the program.

Community Grants applications closed on 9 October 2015 and 12 applications totaling \$10,171 were received.

A summary of the applications is below.

Applicant	Project	Amount (\$)
Afghan Fajar Association Incorporated	Water safety education program for CALD women	1,000.00
Campbelltown Bangla School	Equipment	1,000.00
Ingleburn Country Women's Association of NSW	Resources	206.00
Ingleburn Stitches	Materials and resources	1,000.00
Macarthur Autism Family Support Group	Promotional materials	243.00
Macarthur Interfaith Network	Promotional material and resources	841.00
Pacific-Care	Awareness raising, materials and resources	1,000.00
218 Army Cadets Campbelltown	Promotion and new cadet support	1,000.00
Tej Gyan Global Foundation	Equipment	1,000.00
The Autism Challenge	Promotional Material and resources	987.00
The Hub Community Services	Materials and resources	894.00
Winga Myamly Reconciliation Group	Resources for local Aboriginal entertainment	1,000.00
Total		10,171.00

All projects were assessed according to the criteria for funding as set out in Council's Community Grants Policy and Guidelines.

The following groups are recommended to receive funding for the following reasons:

Afghan Fajah Association- Funding is recommended for the implementation of a water safety program for women from culturally and linguistically diverse backgrounds. The women will pass the techniques onto their families.

Ingleburn Country Women's Association – Funding is recommended for equipment for this project to enhance fundraising activities and membership to the group. The group encourage women from the Local Government Area to participate and reduce social isolation.

Ingleburn Stitches – Funding is recommended for this project to purchase materials for the group. The group has members from a range of backgrounds who share their experiences and stories creating social cohesion.

Macarthur Inter-Faith Network – Funding is recommended for this project to promote and raise awareness of the network. The network encourages people from all backgrounds to build community cohesion and better community relations.

218 Army Cadets – Funding is recommended for promotional material and equipment to increase membership. Participation in the group supports disadvantaged young people to take part in healthy activities that they may not otherwise be able to afford.

Tej Gyan Global Foundation – Funding is recommended for this group to purchase a PA system to cater for the increase in community members participating in healthy activities.

The Autism Challenge – Funding is recommended for this group to purchase promotional materials for their fund raising events. Families with members who are on the autism spectrum participate in fundraising activities to support charities while raising awareness of the group across the community.

Winga Myamly Reconciliation Group – funding is recommended for this group to engage local Aboriginal performers to take part in the Appin Massacre Memorial 200th Anniversary on 17 April 2016. This is an important Macarthur area regional event and milestone.

The following groups are not recommended to receive funding for the following reasons:

Campbelltown Bangla School – funding is not recommended for this group as they received funding in Community Grants Round 2 in 2014 therefore are not eligible under the Community Grants Guidelines.

Macarthur Autism Family Support Group – funding is not recommended for this group as the application is similar to one that was funded in Community Grants Round 1 in 2014 therefore is not eligible under the guidelines.

The Hub Community Services – funding is not recommended for this group as they received funding in Community Grants Round 2 in 2014 therefore are not eligible under the Community Grants Guidelines.

Pacific-Care – funding is not recommended for this group. The proposed project will be duplicating the role of various interagencies across the LGA. Council officers will work with the group to provide information on services including the LINCIS website via Council's webpage and encourage links to local interagencies and networks for further development of the group.

Officer's Recommendation

That Council approve funding to the following groups under the Community Grants Program, with the amounts specified below.

Applicant	Project	Amount (\$)
Afghan Fajar Association Incorporated	Water safety education program for CALD women	1,000.00
Ingleburn Country Women's Association of NSW	Resources	206.00
Ingleburn Stitches	Materials and resources	1,000.00
Macarthur Interfaith Network	Promotional material and resources	841.00
218 Army Cadets Campbelltown	Promotion and new cadet support	1,000.00
Tej Gyan Global Foundation	Equipment	1,000.00
The Autism Challenge	Promotional Material and resources	987.00
Winga Myamly Reconciliation Group	Resources for local Aboriginal entertainment	1,000.00
Total		7,034.00

Committee's Recommendation: (Oates/Glynn)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 November 2015 (Rowell/Glynn)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 213

That the Officer's Recommendation be adopted.

2.2 2015 Get Active Macarthur

Reporting Officer

Manager Community Resources and Development

Attachments

Nil

Purpose

To provide information to Council on staff participation in the 2015 Get Active Macarthur Day event which was held on 10 September at the Minto Indoor Sports Centre.

Report

Get Active Macarthur is Macarthur Disability Services annual day celebrating diversity, encouraging experiences and creating opportunities for people with a disability. The day promotes active living, offering the ability to participate in a range of sporting and recreational activities. This year over 1,000 people attended the event including children and young people from local mainstream schools, special needs schools and disability programs.

Prior to the event, 11 Council staff who volunteered to assist on the day took part in Interactive Disability Awareness training to increase their awareness and skills in communication and interaction with people with disabilities. The training enabled staff to assist attendees with activities including wheelchair basketball, table tennis and balancing exercises.

Staff attended an evaluation session to discuss their observations on interaction and communication between people with a disability, members of the community and disability support staff, as well any barriers to interaction and communication that they experienced. Feedback from staff was very positive and will be incorporated into planning for the 2016 Get Active Macarthur Day event.

Council staff who participated in the 2015 Get Active Macarthur Day event received certificates of appreciation.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Thompson/Glynn)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 November 2015 (Rowell/Glynn)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 213

That the Officer's Recommendation be adopted.

2.3 International Day of People with Disability 2015

Reporting Officer

Manager Community Resources and Development

Attachments

Nil

Purpose

To provide an update on proposed activities for International Day of People with Disability (IDPwD) 2015.

History

IDPwD is an annual event held on 3 December that aims to celebrate the achievements and contributions people with disability make to the community as well as highlight the needs of people with disability, their families, their carers and the recognition of the organisations which assist and contribute to meeting and supporting those needs.

Report

As a lead up event to this year's International Day of People with Disability celebrations, Council in conjunction with Wesley Mission and The Festivalist featured a family-friendly program of award-winning Australian short films free of charge at Campbelltown Arts Centre on Wednesday 4 November 2015. The film 'Paper Planes' was shown with open caption and the other film with audio description. The event was attended by both local schools and residents.

The final Open Access Forum for 2015 will be held in Campbelltown Civic Hall on Wednesday 3 December 10:00am – 1.00pm and will celebrate International Day of People with Disability. The event will comprise of guest speakers, entertainment by people with disability, information stalls and launch of The Macarthur Access Group for Inclusive Communities (MAGIC). The MAGIC project, consisting of government and non-government organisations and explores localised approaches to service planning, design and development through creating a service network that will consolidate and strengthen existing supports, referral structures and services available in the community; create local standards for inclusion and integration of children and families with a disability in Macarthur that can be accessed by all.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Oates/Glynn)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 November 2015 (Rowell/Glynn)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 213

That the Officer's Recommendation be adopted.

2.4 16 Days of Action Initiatives - White Ribbon Day 2015

Reporting Officer

Manager Community Resources and Development

Attachments

Nil

Purpose

To provide Council with information regarding events and activities for the 16 Days of Action including White Ribbon Day 2015.

Report

The Campbelltown Domestic Violence Committee (CDVC) is auspiced by the Macarthur Legal Centre and convened by Campbelltown City Council.

It works towards the elimination of domestic violence through coordinated service provision and raising public awareness in Campbelltown.

Each year, the CDVC develops projects, activities and events to help raise awareness in the local community. These projects include Reclaim the Night, 16 Days of Activism and the White Ribbon campaign.

Since 1999 the 16 Days of Action campaign has been used as a strategy by individuals and groups around the world to call for the elimination of all forms of violence against women.

The campaign traditionally begins with White Ribbon Day on 25 November, which is the International Day for the Elimination of Violence against Women. Stop DV Day is celebrated on the first Friday of December each year and is a tribute to the people who have been affected by domestic violence.

White Ribbon Day is an annual event coordinated by men to increase public awareness of domestic violence in the community, with activities aiming to specifically engage males in the cause by asking them to wear a white ribbon showing their support for ending violence against women.

As part of the 16 Days of Action campaign Council staff have been working with various government and non-government organisations through the CDVC to support awareness raising projects and the development of advocacy working groups including the Campbelltown Men's White Ribbon Group.

The Campbelltown Men's White Ribbon Group will lead and coordinate a series of White Ribbon projects and events across the Campbelltown Local Government Area including the White Ribbon Convoy. The group will attend community events, to raise awareness of Domestic Violence across various suburbs on 25 November. A White Ribbon Day community event will be held in the afternoon at Mawson Park. The day provides an opportunity to share information and gain knowledge, as well as providing an opportunity to promote the Men's White Ribbon Group and encourage more men to support the continued work towards the elimination of domestic violence.

Campbelltown's White Ribbon ambassadors and a number of men within our community from a range of agencies, community groups and businesses will participate on the day.

Activities to mark White Ribbon Day will be conducted in partnership between Council and the CDVC.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Thompson/Oates)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 November 2015 (Rowell/Glynn)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 213

That the Officer's Recommendation be adopted.

3. CULTURAL SERVICES

3.1 Arts NSW Triennial Funding Submission

Reporting Officer

Manager Cultural Services

Attachments

Nil

Purpose

To notify Council on the outcomes of Campbelltown Arts Centre's submission to Arts NSW for Triennial Program Funding to support the 2016-2018 operations and programs of the Campbelltown Arts Centre.

History

At its meeting of 19 May 2015, Council endorsed a submission be made to the NSW State Government's Triennial Arts Program funding stream requesting funding of \$400,000 per year for Campbelltown Arts Centre's 2016-18 program.

Report

Campbelltown City Council was invited to apply for the NSW State Government's Triennial Program Funding 2016–2018 which is available for arts and cultural organisations that are central to the cultural life of NSW. The program is only available to organisations that have demonstrated ongoing commitment to strategic partnerships and a demonstrated delivery of arts and cultural activities with emphasis on regionality strategy. This is the third consecutive invitation Campbelltown Arts Centre has had to apply for Triennial Funding, with the second three year funding cycle concluding in 2015.

On 15 October 2015, Arts NSW announced the results of its funding program, with a 40% funding increase for Western Sydney arts programs. Campbelltown Arts Centre was awarded \$450,000 per year over three years, delivered as part of the Arts NSW multiyear funding program. This represents an 88% increase on previous funding of \$240,000 per year awarded in 2013-2015, and a significant endorsement from the State Government of the contribution that Campbelltown Arts Centre is making to arts and cultural development within NSW.

The funding will further support the delivery of the principal annual artistic program and activities for the Centre's 2016-2018 programs. The increased funding will be allocated towards increased education, public programs and audience development activities designed to build local audiences and increase access to cultural activities for Campbelltown residents.

Officer's Recommendation

1. That the funding agreement from Arts NSW be accepted and signed by the General Manager on behalf of Council.
2. That Council write to the Deputy Premier and Minister for the Arts thanking the NSW State Government for their continued support and increase of funding for Campbelltown Arts Centre.

Committee's Recommendation: (Thompson/Oates)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 November 2015 (Rowell/Glynn)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 213

That the Officer's Recommendation be adopted.

3.2 2016 National Trust Heritage Festival - Campbelltown Arts Centre

Reporting Officer

Manager Cultural Services

Attachments

Nil

Purpose

To advise Council of events that will be held at Campbelltown Arts Centre during the 2016 National Trust Heritage Festival.

History

The National Trust of Australia (NSW) coordinates the New South Wales Heritage Festival which will run from 16 April-29 May in 2016. The theme for 2016 is 'Discovery and Rediscoveries', an invitation to individuals and communities to re-explore their regions and learn something new about their past.

Complementing the New South Wales Heritage Festival is Australian Heritage Week which runs from 16–24 April 2016. This national annual event celebrates the place and stories that make Australia and Australians special.

Report

The National Trust Heritage Festival celebrates Australia's built, natural and cultural heritage and is a key event on the city's annual cultural calendar. Campbelltown City Council's Heritage Forum is held biennially as part of the Festival and involves the presentation of the Heritage Medallion.

The Heritage Medallion is awarded to an individual, business, community group, school or tertiary institution that has made a significant contribution to one or more of the following in the Campbelltown Local Government Area:

- the conservation of Campbelltown's built or natural heritage
 - increased community awareness about Campbelltown's built or natural heritage
 - facilitated community participation in planning the built environment
 - increased community awareness of built environment issues such as sustainability and the impact of the built environment on the natural environment.
-

The Heritage Forum to be held at Campbelltown Arts Centre is planned for Thursday 21 April 2016 at 7.00pm. The key component of this event will include the awarding of the Heritage Medallion, acceptance speech and panel forum. Campbelltown Arts Centre will coordinate the event and continue to use community oral histories as the foundation for the content of the Forum.

Nominations for the 2016 Heritage Medallion will open in late November 2015 and will be accepted from community members, independent organisations or individuals wishing to nominate themselves or another individual, business, community group, school or tertiary institution located within the Campbelltown Local Government Area.

A further report will be presented to Council advising of the nominations received for the 2016 Heritage Medallion.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Glynn/Oates)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 November 2015 (Rowell/Glynn)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 213

That the Officer's Recommendation be adopted.

4. CUSTOMER SERVICE

No reports this round

5. EDUCATION AND CARE SERVICES

5.1 Education and Care Services partnership with University of Wollongong

Reporting Officer

Manager Education and Care Services

Attachments

Nil

Purpose

To advise Council of a new partnership between Education and Care Services and the University of Wollongong to implement the Leadership for Learning professional program for Council educators.

Report

Leadership for Learning program

The University of Wollongong has developed a fully funded comprehensive professional development program titled 'Leadership for Learning', which has been designed to enhance quality child outcomes. The program will include professional development for educators that focuses on instructional practices in teaching that build relationships, and on teaching practices that promote purposeful, deliberate and thoughtful decisions and actions.

The program will be fully funded by the NSW Department of Education and the University of Wollongong. Academics from the University College of London and the University of Wollongong will deliver training for key educators from Council's Education and Care services over a period of two years to strengthen their skills in relationships with children and teaching practices.

The Department of Education and Communities (DEC) will evaluate this professional development program for wider distribution and therefore educators will be required to participate in a comprehensive evaluation component, which will be conducted within their service. The effectiveness of the pilot program will also be assessed through a series of child development measures, conducted with individual children at the service.

The partnership with University of Wollongong will further demonstrate Campbelltown City Council's ongoing commitment to the delivery of high quality early learning services to the community and will benefit our services by giving our educators opportunities not offered to other services in the Campbelltown Local Government Area. This program will be at no cost to Council.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Glynn/Thompson)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 November 2015 (Rowell/Glynn)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 213

That the Officer's Recommendation be adopted.

5.2 Education and Care Services partnership with Western Sydney University

Reporting Officer

Manager Education and Care Services

Attachments

Nil

Purpose

To advise Council of a new partnership between Education and Care Services and Western Sydney University to support early childhood education students through the Early Childhood Tertiary Studies Pathway Program.

Report

Early Childhood Tertiary Studies pathway program

Western Sydney University has received funding from the NSW Department of Education to implement an Early Childhood Tertiary Studies Pathway Program. The focus of the program is to plan a seamless and integrated pathway between the Vocational Education and Training (VET) and Higher Education sectors in the area of early childhood education studies. The program will support aspiring education students, from school leavers to those engaged in the VET sector, to recognise their capacity for higher education and to gain a professional qualification as a teacher and leader in early childhood education.

The purpose of this project is to develop innovative arrangements that open up the possibility of higher qualifications in areas of early childhood studies to a group of young people and mature age students who may otherwise remain at the lower end of the qualifications and skills grading.

The work to develop the program will be facilitated by a partnership between Western Sydney University, and South Western Sydney Institute of TAFE in collaboration with industry partners Campbelltown City Council and KU Children's Services.

Council's Education and Care Services Acting Manager will participate in the program design. This participation in the scoping of the program will ensure that the needs of the workforce are addressed and that opportunities for significant periods of work-based learning across the integrated pathway can be planned.

As an industry partner, Council's Education and Care Services will accept pre service teachers for placement in Council's long day care services where they will gain practical experience while working towards their qualification. The students would be volunteers and this partnership will be implemented at no cost to Council.

Campbelltown City Council has a long history of supporting Western Sydney University with the placement of early childhood education students and this offer of industry partnership will further extend on the existing collaborative relationship and further demonstrate Council's ongoing commitment to the delivery of high quality early learning services to the community.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Oates/Thompson)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 November 2015 (Rowell/Glynn)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 213

That the Officer's Recommendation be adopted.

6. HEALTHY LIFESTYLES

6.1 Use of Public Open Space by Commercial Fitness Trainers

Reporting Officer

Manager Healthy Lifestyles

Attachments

1. Draft Policy - Use of Public Open Space by Commercial Fitness Trainers (contained within this report)
2. Commercial Fitness Trainers Guide (contained within this report)

Purpose

To seek Council's endorsement of the Use of Public Open Space by Commercial Fitness Trainers draft policy.

History

In response to an increasing number of user conflicts and requests from Commercial Fitness Trainers to use public open space to conduct their activities, a proposed Use of Public Open Space by Commercial Fitness Trainers draft policy was presented at a Council briefing on 2 September 2014.

Council resolved on 9 December 2014 that the draft policy be placed on public exhibition. This process was undertaken through advertising on Council's website, local newspapers, community forums and discussions with key stakeholders and community groups for a period of 28 days.

Council at its briefing on 30 June 2015 was presented with the feedback and suggested changes to the draft policy following the community consultation process.

Report

Council staff are regularly informed of unauthorised use of public open space by Commercial Fitness Trainers and conflicts between clubs, community members and providers. In addition, Council staff regularly receive requests from outdoor fitness providers seeking direction on how they can conduct fitness classes on Council land and public open space.

Currently, Council staff are providing generic direction aimed at best representing the interests of residents and to promote physical activity within the Local Government Area, although there is no formal policy in place. A number of residents have provided Council staff with feedback where there have been unreasonable impacts on the residents and other users of the parks, however staff have limited ability to resolve these issues without a policy.

The formation of the draft policy encompasses all the feedback received from both fitness trainers and residents to achieve the policy objectives:

1. to provide effective management of the use of Council's parks, public reserves, public open space and sporting grounds by Commercial Fitness Trainers
2. to minimise the impact of fitness training activities on Council's assets, protecting public infrastructure and addressing public risk concerns
3. to ensure overall equity of access for the community to Council's parks, public reserves, public open space and sporting grounds.

To achieve these objectives, the draft policy introduces a permit system that provides the authorisation for a Commercial Fitness Trainer to conduct business and receive payment from the community whilst using Council land. The proposed system also provides security to local residents as the permit system will provide Council the insurance details of the fitness providers and permit holders will be acknowledged on Council's website. This will allow residents to immediately check and have confidence that Commercial Fitness Trainers, who are running classes and receiving payment have the appropriate insurances and registration to protect them in the case of injury.

The permit fee is identified in Council's fees and charges. It is proposed that the permit fee remain at \$120 which was the advertised fee at the public exhibition and to maintain this fee until the entire policy is reviewed after 12 months of implementation. The outcome of the review would be reported to Council prior to a change of fee being considered as part of Council's budgeting process.

Council resolved to place the draft policy on public exhibition at its meeting on 9 December 2014 initially for 28 days. Due to the holiday period and the season changeover of sports grounds, Council officers continued to receive and record submissions until March 2015. Advertising was conducted using the local media, Fitness Australia website, Council's website and affiliated Facebook pages. Healthy Lifestyles also conducted a number of community information sessions as well as direct communication with major sporting associations and their clubs.

As a result of the exhibition process 37 written submissions were received covering a range of issues. The majority of comments were from current users of personal training services. The submissions were considered by Council officers, with reference to Fitness Australia, other Council policies and discussions with current Commercial Fitness Trainers.

There were similar comments in many of the submissions with the main points being in reference to:

Approved hours of operation

The draft policy states that Commercial Fitness Trainers have approval to operate on the prescribed public open space during the following hours:

- Daylight savings time - 6.00am until 8.30pm
- Non-daylight savings - 6.00am until 6.30pm (if adequate lighting is available).

There were requests in the submissions for the morning start times to be extended to 5.30am. There is currently a group running a 5.40am boot camp at Eschol Park and it was submitted that the earlier start could allow residents to participate in a fitness class and still be able to commute to the city for work.

Officers found that this class has been operating for a long time and Council has received no complaints from residents in relation to the activity being commenced at the earlier time. As such, it is recommended that the approved hours of operation be changed to:

- Daylight savings time - 5.30am until 8.30pm
- Non-daylight savings time - 5.30am until 6.30pm (if adequate lighting is available).

Floodlighting

The draft policy states that sportsground floodlighting cannot be used by Commercial Fitness Trainers. This is due to the fact that floodlights are paid for by the sporting clubs that hire the sportsgrounds.

There were requests in the submissions for commercial user groups to access floodlighting so their sessions can be held after sunset during the winter months.

Consideration was given to this request, however preference to sportsground usage is given to the structured sporting club that has a booking at the field. At the majority of Council's sportsgrounds there is no ability to activate individual light poles. Requests for lighting activation for a fitness training group may result in the costly and unnecessary activation of the floodlighting for the whole complex as well as uncertainty to who is paying the bill when there are multiple users at one time, and no formal contract or hire agreement entered into for the use of the particular land. Council is aware that providers are timing their sessions to correspond with clubs using lights.

Given the above, it is recommended that no change to floodlight activity is made to the draft policy and that this item be reviewed after 12 months of implementation and further consultation with fitness providers and sporting clubs be undertaken to better understand demand.

Use of amenities

Council currently has a number of parks where the toilet amenities are opened and closed each day by Council staff or security. Hirers of Council sportsgrounds are also given keys to amenities for that sportsground.

There were requests in the submissions for access to the toilet amenities to be provided to Commercial Fitness Trainers. In response to this, Council officers recommend that a change to the draft policy be made to include a list of parks where toilet amenities are opened each day, as well as a list of selected parks where keys to the toilet amenities can be provided to Commercial Fitness Trainers.

Exclusion Zone

The draft policy proposed that an exclusion zone of 50m from residential property be in place to ensure residents are not exposed to noise from fitness groups which can include repetitive noise generating activity.

There were requests in the submissions that this be reconsidered as many sporting fields are situated within 50m of residential properties. Consideration was also given to the community at Park Central, which is a popular location for Commercial Fitness Trainers. The areas used by Commercial Fitness Trainers within Park Central, was assessed and found to be within 50m of residential property.

In general discussions, there are a number of sports grounds/activities currently located within a distance of 30m from residential properties. Council has no records of complaints made and recommend this is an appropriate distance to trial and monitor any concerns raised.

In this regard, it is recommended that the Exclusion Zone be reduced to a minimum distance of 30m between the nearest private landowners boundary and the service being delivered.

Implementation

It is recommended that the draft policy become effective as of 1 March 2016.

The draft policy and the application process (subject to Council approval) will be advertised through newspaper advertisements, Fitness NSW, Council's website and social media pages. Fitness Australia will also assist with the advertisement process by way of communicating the adoption of the draft policy to all registered fitness providers. Notification can begin as soon as the draft policy is formally adopted and applications will be made available at the Civic Centre and Council's Leisure Centres. This application process can commence from 1 December 2015.

Officer's Recommendation

1. That the draft policy Use of Public Open Space by Commercial Fitness Trainers be adopted and become effective from 1 March 2016.
2. That subject to recommendation 1, the policy be reviewed annually with the first review date to be set at 31 March 2017.

Committee's Recommendation: (Oates/Glynn)

That the Officer's Recommendation be adopted.

CARRIED

Councillor Rowell asked that his name be recorded against this recommendation.

Council Meeting 17 November 2015 (Rowell/Glynn)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 213

That the Officer's Recommendation be adopted.

A **Division** was called in regard to the Resolution for Item 6.1 - Use of Public Open Space by Commercial Fitness Leaders with those voting for the Motion being Councillors Borg, Brticevic, Chanthivong, Dobson, Glynn, Hawker, Kolkman, Lound and Oates.

Voting against the Resolution were Councillors Greiss, Matheson, Mead and Rowell.

ATTACHMENT 1

 campbelltown city council		POLICY Healthy Lifestyles
Policy Title	Use of Public Open Space by Commercial Fitness Trainers	
Related Documentation	Council's Commercial Fitness Trainers User Guide	
Relevant Legislation	In accordance with the provisions under Section 68, 94 and 100 in <i>The Local Government Act 1993</i>	
Responsible Officer	Manager Healthy Lifestyles	

Policy details may change prior to review date due to legislative changes, therefore this document is uncontrolled when printed.

Objectives

1. To provide an effective management framework for the use of Council's parks, public reserves, public open spaces, and sporting grounds by Commercial Fitness Trainers.
2. To minimise the impact of commercial fitness activities on Council's assets, protecting public infrastructure, and addressing public risk concerns
3. To ensure the overall community's equity of access to Council's parks, public reserves, public open spaces, and sporting grounds.

Policy Statement

Campbelltown City Council actively promotes healthy activity and encourages residents to utilise local parks and infrastructure for exercise, leisure and family activity. Commercial Fitness Training has become one of the strongest growth sectors within the fitness industry. Outdoor fitness has significantly increased in recent years in the Campbelltown Local Government Area with Commercial Fitness Trainers utilising the parks, public reserves, public open spaces, and sporting grounds. The need to regulate use of public open space by all members of the community has been identified and this policy addresses the impact on the high level of use of Council's assets and public liability and risk concerns.

Scope

The policy for the 'Use of Public Open Space by Commercial Fitness Trainers' applies to Campbelltown City Council managing its public open space within the Local Government areas including all parks, public reserves, public open spaces, footpaths, cycleways, Simmo's Beach and sporting grounds. The scope of this policy refers to all fitness training activities conducted on these properties.

Definitions

- Commercial Fitness Trainers - trainers, instructors, group fitness operators or trainers that are operating or representing a business whether a sole trader, proprietary limited or company
- Fitness Trails/Zones – fixed fitness equipment provided by Council

Campbelltown City Council

- Fitness training activities – include aerobic activities, resistance training (with or without equipment), punch pad training (boxing and kick boxing), relaxation or lifestyle classes such as yoga or tai chi, circuit type classes or any combination of the above.
- Commercial Group Trainers - individuals providing fitness training, activities for a fee or payment.
- Commercial Fitness - a registered business providing fitness services.
- 30m Exclusion – A minimum distance of 30m must be maintained between the nearest private landowners boundary and the service being delivered
- Sporting Grounds – areas of public reserves where organised sports are played and where Council has developed facilities for such sports.
- Park – passive area on open space.
- Play spaces - open space that includes play experiences.
- Community land - is defined as Crown Land managed by Council.
- Permit Holder - shall mean a Commercial Fitness Trainers that have been granted a permit to conduct commercial fitness training on Council's public open space.
- Club - shall also infer Association and shall mean a group of people organised into a recognisable body to administer the playing of sport or recreation activities.
- Association - shall mean existing sporting associations governing the sport in this local government area.
- Policy - this refers to the Use of Public Open Space by Commercial Fitness Trainers.

Legislative Context

Related Legislation:

- Section 68, 626, 627, 632, 650 and 651 of the *Local Government Act 1993*
- *Road Rules 2008*
- *Work Health and Safety Act 2011 – NSW*
- *Crown Lands Act 1989*
- *Protection of the Environment Operations Act 1997*

Legal action can be brought under a range of legislation therefore the Council shall adopt practices that meet the requirements of potential legal action.

Principles

APPROVAL PROCESS

- Each Commercial Fitness Trainer covered by this policy requires approval pursuant to section 68 of the *Local Government Act 1993*. Each individual Commercial Fitness Trainer will require approval from Council before obtaining a permit to conduct commercial fitness training, for example one business employing six trainers will require six approvals, one in the name of each trainer on community land.
 - Each approved Commercial Fitness Trainer allocated an approval will be issued an ID card per financial year. The ID card must be produced on request from Council officers. The ID card is to be returned to Council if the approval to use public open space for Commercial Fitness Trainers is terminated or up for renewal.
 - If the applicant wishes to cancel their booking, they will need to give Council a minimum of two weeks notice in writing of intention to cancel.
 - Penalties may apply if the following offence(s) are committed:
 1. A Commercial Fitness Trainer is found to be using public open space for fitness training activities without Council approval
 2. An approved Commercial Fitness Trainer is not operating in accordance with the policy.
-

TERM OF APPROVAL

An approval will be valid for the current financial year expiring each year on 30 June. The approval will authorise each trainer to use public open space for fitness training activities strictly in accordance with this policy on a non-exclusive basis.

ISSUE OF APPROVAL

Applications for a Commercial Fitness Trainer approval will be assessed by Council officers taking into account the following factors:

- Evidence of the qualifications and insurance provided with the application
- Type of activities to be undertaken and the potential impact on the public asset, other users and neighbouring residents during the times requested
- Whether the activities will contribute to increasing congestion or user conflict in the areas requested
- Whether the proposed training site is within an exclusion zone.

In considering the above, Council officers may decide to approve or decline an application.

Approval to conduct fitness training activities within the Campbelltown Local Government Area is not transferable to any other Commercial Fitness Trainer. A Commercial Fitness Trainer can nominate a replacement person in case of illness or leave. To do so, the replacement Commercial Fitness Trainer must also have a valid and current permit from Campbelltown City Council prior to the scheduled session.

COMPLIANCE WITH TERMS AND CONDITIONS OF POLICY

Council approved Commercial Fitness Trainers must comply with the terms and conditions of the Policy for the Use of Public Open Space by Commercial Fitness Trainers. Breaches of the policy may be referred to Fitness Australia and may incur a warning and be subject to directions to cease fitness activities, a cancellation and termination.

APPROVED HOURS OF OPERATION

Commercial Fitness Trainers have approval to operate on the prescribed public open space during the following hours:

- Daylight savings time – 5.30am until 8.30pm
- Non-daylight savings – 5.30am until 6.30pm (if adequate lighting is available)

When conducting activities beyond daylight hours, Commercial Fitness Trainers must monitor and control risk to participants and ensure public safety is not impacted by their activities.

Failure to operate within these specified times will be dealt with in accordance with the Termination of Approval Clause.

SPORTSGROUND FLOODLIGHTS

Cannot be used by Commercial Fitness Trainers.

NUMBER OF TRAINERS

Based on Fitness Australia recommendations, registered Commercial Fitness Trainers should ensure that the group participant number allows for appropriate supervision and instruction for each individual during the group session.

OPEN SPACE AVAILABILITY

Council offers no guarantee or warranty that the public open space will be available at any time or suitable for use. Allocation of a Council permit does not give the permit holder exclusive use of the park. It is public open space and as such must be able to be used by the community.

TERMINATION OF APPROVAL

Council can terminate an approval to conduct fitness training activities on public open space in the following circumstances:

- The qualifications criteria are not complied with eg – no registration with Fitness Australia or equivalent body
- The approval holder has been issued three or more written warnings (this can include combination of penalty notices or written warnings), for non compliance with the policy.

Council will issue four weeks notice of termination in writing to the approved permit holder. The offending trainer will also be referred to Fitness Australia.

A Commercial Fitness Trainer whose permit has been terminated can appeal in writing to the General Manager, Campbelltown City Council PO Box 57, Campbelltown, NSW, 2560.

Permit fees will not be refunded if the agreement is terminated by Council as a result of breach of permit.

EXCLUDED AREAS

Commercial Fitness Trainers are not permitted to operate in areas of high activity and/or areas of cultural, environmental or natural significance. Specific areas where these activities are prohibited include:

- Koshigaya Park
- Mawson Park
- Raby Oval No 1
- Campbelltown Sports Stadium
- Campbelltown Showground
- Campbelltown Arts Centre
- Campbelltown Libraries
- Worrell Park
- Lynwood Park
- Within 10 metres of turf cricket wickets – Raby Sports Complex, Memorial Oval, Bradbury Oval, Jackson Park
- Baseball and Softball diamonds
- Playground areas (fenced)
- Trees/landscape areas
- Park furniture, picnic tables, shelters, seats and benches.
- Within 20 metres of memorials, playground equipment and public change rooms, toilets or kiosk areas.
- Leash free dog facilities
- Cemeteries
- Exclusive use of public outdoor fitness equipment in parks and reserves
- Stairways and pathways
- Within 30m of residential properties
- Sporting facilities (sports fields, netball courts) that are allocated to community groups and schools. Allocated community sporting groups and schools have the priority of use of sporting facilities.
- Any public or private car park, roadway, laneway or areas that are generally used by motor vehicles
- Commercial areas within the Campbelltown Local Government Area.

Council may nominate other exclusion zones during the life of this policy or approval term.

GROUPS EXEMPT FROM THIS POLICY

This policy does not apply to the following groups, however Council approval is required by these groups for use of Council owned and managed open space and active parks and reserves through Council's Healthy Lifestyle Section:

- Local sporting clubs and associations
- Local schools (recreation activities performed under the supervision of a Teacher)
- Corporate groups (businesses wishing to run events)
- Community training groups (where no participation fees are charged)
- Not-for-profit individual or small group exercise (eg tai-chi or meditative yoga or similar)
- Not-for-profit walking, jogging or cycling groups
- Defence Force activities including but not exercise to training drills, army reserves and exercise regimes, with prior approval from Council.

PERMISSIBLE ACTIVITIES UNDER THE POLICY (subject to Council approval)

Fitness training activities are limited to the normal activities of a registered Personal Trainer, Yoga teacher or the like which would include but is not limited to:

- Fitness sessions (with or without weights, fitballs, skipping ropes, etc)
- Boxing and pad training
- Organised aerobic activity
- Walking and running
- Not-for-profit Yoga, Tai Chi, and Pilates and like activities
- Circuit training
- A combination of any of the above
- Other pre-approved fitness activity
- Other appropriate cardio-vascular and muscular skeletal programs that are of benefit to a person's fitness including warming up and cooling down exercises.

PROHIBITED ACTIVITIES

The following fitness training activities are not permitted on Council public open space within the Campbelltown Local Government Area:

- Aggressive and intimidating activities
- Outdoor recreational or fitness activities conducted with amplified music or voice including megaphones or whistles
- Dragging tyres or other heavy items over any surfaces including sporting fields and parks
- Portable fitness equipment/machinery such as spin bikes, weight machines and rowing machines
- Group training with companion animals on or off leash
- Organised ball sports and competitions are restricted to designated ovals, sportsgrounds or courts, which are subject to the payment of applicable published fees and charges.

PERMIT FEES

- An annual permit fee is applicable under this policy.
 - Memberships are renewed on 31 March each year. Applications can be accepted after this and licence fees will be at a pro rata rate
 - Fees associated with a Commercial Fitness Trainer's permit will be in accordance with Council's Fees and Charges and are available on Council's website
 - No refunds will be given.
-

INSURANCE

Council approved Commercial Fitness Trainers must take out and maintain in their name or business name, for the duration of the term of the approval, public liability insurance for a minimum of \$20m (or such greater amount as Council may reasonably require) and produce documentary evidence of this at the time of application.

In addition, Council is to be added to the policy as an interested party.

QUALIFICATIONS

The following criteria must be met to be eligible for an approval to provide fitness training activities on community land or public open space in the Campbelltown Local Government Area. Evidence (a copy of all certificates to be provided with application) of the following must be provided with the application form (www.campbelltown.nsw.gov.au):

- Approved qualifications endorsed by Fitness Australia and/or VETAB providers such as TAFE, Universities and Nationally Recognised Training institutions/colleges
- A current Senior First Aid Certificate
- Proof of being a current registered professional with Fitness Australia or the relevant peak body
- Current Public Liability Insurance (certificate of currency) which indemnifies Campbelltown City Council to a minimum of \$20m and Professional Indemnity Insurance for the life of the permit approved.

The following criteria must also be met by Commercial Fitness Trainers who carry out Children's fitness training activities:

- Completed a Working with Children Check or provide a copy of their Blue Card.
- Provide a copy of certification in having completed an accredited course specific to Children's Fitness Training.

TERMS AND CONDITIONS

Under this policy Commercial Fitness Trainers approved by Campbelltown City Council must:

- Ensure that their clients do not use picnic tables and/or park furniture to store any bags or equipment that would leave members of the public unable to utilise these facilities
 - Ensure that any exercise equipment used does not create any hazards or obstruction
 - Vary or rotate their location for static and repeated training so as to reduce wear on turf
 - Not suspend boxing bags, kickboxing bags or any other training apparatus from trees and/or structure in public reserves
 - Always conduct themselves in a proper and orderly manner and be considerate to other users and adjacent residents
 - Ensure that any training group for which they are responsible, runs in single file when running on footpaths or in narrow areas
 - Not interfere with any Council approved or booked activities being carried out on any Council property. This includes the allocated community sporting use of sporting fields
 - Not display any advertising signage including banners, "A" frame signs or Pop Up Tents unless approved by Council
 - Ensure that the parks and associated facilities are left in a clean and tidy condition after use and all articles and items brought on to the property are removed and any damage is made good. Where this condition is breached, Council may carry out works to return the property to its original condition and recover the expense of doing so from the permit holder
 - Not create any noise from training activities that unreasonably disturbs other users and/or adjacent residents
 - Not fence or block off areas to the exclusion of the general public
 - Acknowledge Council will accept no responsibility or liability for any interruption to business caused by Council or any other authority carrying out any special event, filming or type of
-

- maintenance works on approved public open space sites, inclement weather or any other interruption to business however caused
- Observe the closing of open space areas due to wet weather. During periods of wet weather the Commercial Fitness Trainer is responsible for viewing Council's website to determine whether parks have been closed or by phoning Council's Healthy Lifestyles on 4546 4527. No activity is permitted if grounds are closed
 - Inspect the immediate area prior to commencing any fitness training activities, to ensure no hazards are evident and take appropriate action to remove those hazards or alternatively move to another training site (if appropriate) and without undue delay
 - Report to Council the hazards within 24 hours or matters observed during the training that may require Council's attention
 - Ensure all equipment used for training sessions is stored off site. The erection of structures for the storage of fitness equipment is not permitted
 - Ensure both themselves and participants park lawfully in designated parking areas and in accordance with parking control signs. Parking on grassed open space is not permitted and may incur penalties in accordance with sections 68, 632, 650 and 651 of the *Local Government Act 1993* and the *Road Rules 2008*
 - Indemnify Council against all damages, sums of money, cost, charges, expenses, actions, claims and demands which may be sustained or suffered or recovered or made against Council by any person for any loss of life or injury or damage any person may sustain due to the negligent act of a trainer whilst conducting training sessions
 - Comply with reasonable directions of Council's Rangers and other authorised Council officers in relation to any unacceptable practices, or to display evidence of the permit
 - Keep a log book of significant accidents and injuries occurring during training sessions and advise Council of any injuries incurred on Council's property by Commercial Fitness Trainers or customers.
 - Understand that the rights issued as part of the permit granted are not transferable.

Responsibility

Manager Healthy Lifestyles

Effectiveness of this Policy

The number of complying registered fitness providers, the communication between them and Council, and the level of fitness services and facilities provided to the community will measure the effectiveness of this policy and improve the management of the use of Council's open space.

END OF POLICY STATEMENT

ATTACHMENT 2

 campbelltown city council	Healthy Lifestyles PO Box 57 CAMPBELLTOWN NSW 2560 Phone (02) 4645 4527 Fax (02) 4645 4681
COMMERCIAL FITNESS TRAINERS USER GUIDE	

Council Policy

The Commercial Fitness Trainers User Guide is an extension to the City of Campbelltown Use of Public Open Space by Commercial Fitness Trainers Policy, as adopted on 10 November 2015. The policy provides the key principles by which the City of Campbelltown's parks, public reserves, public open space and sporting grounds are administered. The Use of Public Open Space by Commercial Fitness Trainers Policy will be reviewed on 31 March 2017. Any policy changes will appear in subsequent reprints of the Commercial Fitness Trainers User Guide.

Objectives

1. To establish guidelines for the use of public open space to Commercial Fitness Trainers.
2. To establish procedures for application, approval and renewal of permits to use public open space for fitness training activities.
3. To establish procedures for allocating public open space to monitor impact on residents and other users and ensure equity among Commercial Fitness Trainers.
4. To establish systems to ensure Commercial Fitness Trainers have relevant qualifications and sufficient insurances when using public open space.
5. To set out conditions of use of public open space by Commercial Fitness Trainers.

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1. Aim

The main aim of this guide is to bring all procedures relating to the use of public open space or Commercial Fitness Training into one document to support proper and equitable administration of Council's sporting facilities and monitor the impact on the community. The guide also

provides opportunities for a level of ongoing tenure for certain established groups to support forward planning opportunities.

2. Glossary of Terms

The following terms are used throughout this User Guide and have the stated meaning:

1. **Commercial Fitness Trainers** - trainers, instructors, group fitness operators or trainers that are operating or representing a business whether a sole trader, proprietary limited or company
2. **Fitness Trails/Zones** – fixed fitness equipment provided by Council
3. **Fitness training activities** – include aerobic activities, resistance training (with or without equipment), punch pad training (boxing and kick boxing), relaxation or lifestyle classes such as yoga or tai chi, circuit type classes or any combination of the above.
4. **Commercial Group Trainers** - individuals providing fitness training, activities for a fee or payment.
5. **Commercial Fitness** - a registered business providing fitness services.
6. **Sporting Grounds** – areas of public reserves where organised sports are played and where Council has developed facilities for such sports.
7. **Park** – passive area on open space.
8. **Play spaces** - open space that includes play experiences.
9. **Community land** - is defined as Crown Land managed by Council.
10. **Permit Holder** - shall mean a Commercial Fitness Trainers that have been granted a permit to conduct commercial fitness training on Council's public open space.
11. **Club** - shall also infer Association and shall mean a group of people organised into a recognisable body to administer the playing of sport or recreation activities.
12. **Association** - shall mean existing sporting associations governing the sport in this local government area.
13. **Policy** - this refers to the Use of Public Open Space by Commercial Fitness Trainers.

3. Area of Application

This User Guide shall apply to public open space within the boundaries of the Campbelltown City Council area that has been defined as acceptable for use of Commercial Fitness Trainers. A list of excluded areas is included in the List of Prohibited areas. *Refer to Appendix A.*

4. Application Process

1. Applicants must fill in the Application for Commercial Fitness Trainers. (*Refer to Appendix B*).
2. Application must be submitted with the following essential criteria:
 - Photo Identification – eg; Drivers Licence, passport
 - Current Senior First Aid Certificate
 - Current Public Liability Insurance which indemnifies Campbelltown City Council to a minimum of \$20m with Council noted as an interested party.
 - Evidence of being a registered professional with Fitness Australia
 - Trainers who carry out children's fitness training activities will need to provide:
 - Provide Working with Children documentation
 - Provide a copy of certification in having completed accredited courses specific to children's fitness training

3. Council Officers will assess the application and applicants will be informed of the outcome within ten working days after submitting your application
4. If successful, a Tax Invoice will be issued for the annual permit fee currently \$120 (incl. GST)

Once the permit is paid an approval letter will be issued along with a permit and an identification card

5. Permits

- Permits are issued with an expiry date of 30 June each year
- Renewals for Permits can be issued each year prior to 30 June
- Where a trainer's insurance, first aid and/or registration expires before 30 June, evidence must be shown to Council to ensure permit is valid
- The permit and identification card must be carried with you at all times when conducting your activities. Campbelltown City Council Rangers and other authorised Council officers may check your identification during random visits.

6. Allocation of Open Space

- Council offers no guarantee or warranty that the public open space will be available at any time or suitable for use
- Priority over sportsgrounds is given to sporting clubs, schools and other users who have hired the fields
- Permit holders can request an area of open space in accordance with the times prescribed in the policy
- Council will be able to inform of any clashes with clubs, schools or user groups, as well as any other Commercial Fitness Trainers permit holders
- Council will liaise with all groups to manage to use and care of areas
- Council can refer enquiries received at Council to the closest registered fitness provider.

7. Permissible Activities

Fitness training activities are limited to the normal activities of a registered Personal Trainer, Yoga teacher or the like which would include but is not limited to:

- Fitness sessions (with or without weights, fitballs, skipping ropes, etc)
 - Boxing and pad training
 - Organised aerobic activity
 - Walking and running
 - Not-for-profit Yoga, Tai Chi, and Pilates and like activities
 - Circuit training
 - A combination of any of the above
 - Other pre-approved fitness activity
 - Other appropriate cardio-vascular and muscular skeletal programs that are of benefit to a person's fitness including warming up and cooling down exercises.
-

8. Number of Trainers

Based on Fitness Australia recommendations, registered Commercial Fitness Trainers should ensure that the group participant number allows for appropriate supervision and instruction for each individual during the group session.

9. Approved Hours of Operation/Activity Duration

Commercial Fitness Trainers have approval to operate on the prescribed public open space during the following hours:

- Daylight savings time – 5.30am until 8.30pm
- Non-daylight savings – 5.30am until 6.30pm (if adequate lighting is available)

When conducting activities beyond daylight hours, Commercial Fitness Trainers must monitor and control risk to participants and ensure public safety is not impacted by their activities.

Failure to operate within these specified times will be dealt with in accordance with the Termination of Approval Clause.

10. Prohibited Activities

The following Commercial Fitness Trainers activities are not permitted on public open space within the Campbelltown Local Government Area:

- Aggressive and intimidating activities
- Outdoor recreational activities conducted with amplified music or voice including megaphones or whistles
- Use of amplified music or audio (voice) equipment
- Dragging tyres or other heavy items over any surfaces including sporting fields and parks
- Portable fitness equipment / machinery such as spin bikes, weight machines and rowing machines
- Group training with companion animals on or off leash
- Organised ball sports and competitions are restricted to designated ovals, sportsgrounds or courts, which are subject to the payment of applicable published fees and charges

11. Non Compliance

- If a Commercial Fitness Trainer is not complying with the terms and conditions of this User Guide and Policy, including not producing a permit to an authorised Council officer, Commercial Fitness Trainers will be asked to cease activities and may be issued with an on the spot fine and/or incur other penalties in accordance with sections 68, 632, 650 and 651 of the *Local Government Act 1993*.
 - Council can revoke or terminate a permit to conduct Commercial Fitness Trainers on public open space in the following circumstance:
 - The qualifications criteria are not complied with eg – no registration with Fitness Australia or equivalent body; or
-

- The approval holder has been issued three or more written warnings (this can include combination of penalty notices or written warnings), for non compliance with the policy.

Council will issue four weeks notice of termination in writing to the approval holder. The offending trainer will also be referred to Fitness Australia.

A Commercial Fitness Trainer whose permit has been terminated can appeal in writing to the General Manager, Campbelltown City Council PO Box 57, Campbelltown, NSW, 2560.

Permit fees will not be refunded if the agreement is terminated as a result of breach of permit.

12. Groups Exempt from the Policy

This policy does not apply to the following groups, however Council approval is required by these groups for use of Council owned and managed land through Council's Healthy Lifestyle section:

- Local sporting clubs and associations
- Local schools (recreation activities performed under the supervision of a Teacher)
- Corporate groups (businesses wishing to run events)
- Community training groups (where no participation fees are charged)
- Not-for-profit individual or small group exercise (eg tai-chi or meditative yoga or similar)
- Not-for-profit walking, jogging or cycling groups
- Defence Force activities including; training drills, army reserves and exercise regimes, with prior approval from Council.

13. Terms and Conditions

Under this policy Commercial Fitness Trainers approved by Campbelltown City Council must:

- Ensure that their clients do not use picnic tables and/or park furniture to store any bags or equipment that would leave members of the public unable to utilise these facilities
 - Ensure that any exercise equipment used does not create any hazards or obstruction
 - Vary or rotate their location for static and repeated training so as to reduce wear on turf
 - Not suspend boxing bags, kickboxing bags or any other training apparatus from trees and/or structure in public reserves
 - Always conduct themselves in a proper and orderly manner and be considerate to other users and adjacent residents
 - Ensure that any training group for which they are responsible, runs in single file when running on footpaths or in narrow areas
 - Not interfere with any Council approved or booked activities being carried out on any Council property. This includes the allocated community sporting use of sporting fields
 - Not display any advertising signage including banners, "A" frame signs or Pop Up Tents unless approved by Council
 - Ensure that the parks and associated facilities are left in a clean and tidy condition after use and all articles and items brought on to the property are removed and any damage is made good. Where this condition is breached, Council may carry out works to return the property to its original condition and recover the expense of doing so from the permit holder
-

6.1 Use Of Public Open Space By Commercial Fitness Trainers

- Not create any noise from training activities that unreasonably disturbs other users and/or adjacent residents
 - Not fence or block off areas to the exclusion of the general public
 - Acknowledge Council will accept no responsibility or liability for any interruption to business caused by Council or any other authority carrying out any special event, filming or type of maintenance works on approved public open space sites, inclement weather or any other interruption to business however caused
 - Observe the closing of open space areas due to wet weather. During periods of wet weather the Commercial Fitness Trainer is responsible for viewing Council's website to determine whether parks have been closed or by phoning Council's Healthy Lifestyles on 4546 4527. No activity is permitted if grounds are closed
 - Inspect the immediate area prior to commencing any fitness training activities, to ensure no hazards are evident and take appropriate action to remove those hazards or alternatively move to another training site (if appropriate) and without undue delay
 - Report to Council the hazards within 24 hours or matters observed during the training that may require Council's attention
 - Ensure all equipment used for training sessions is stored off site. The erection of structures for the storage of fitness equipment is not permitted
 - Ensure both themselves and participants park lawfully in designated parking areas and in accordance with parking control signs. Parking on grassed open space is not permitted and may incur penalties in accordance with sections 68, 632, 650 and 651 of the *Local Government Act 1993* and the *Road Rules 2008*
 - Indemnify Council against all damages, sums of money, cost, charges, expenses, actions, claims and demands which may be sustained or suffered or recovered or made against Council by any person for any loss of life or injury or damage any person may sustain due to the negligent act of a trainer whilst conducting training sessions
 - Comply with reasonable directions of Council's Rangers and other authorised Council officers in relation to any unacceptable practices, or to display evidence of the permit
 - Keep a log book of significant accidents and injuries occurring during training sessions and advise Council of any injuries incurred on Council's property by Commercial Fitness Trainers or customers.
 - Understand that the rights issued as part of the permit granted are not transferable.
 - 30m Exclusion – A minimum distance of 30m must be maintained between the nearest private landowners boundary and the service being delivered
-


Appendix A – List of Excluded Areas

Commercial Fitness Trainers are not permitted to operate in areas of high activity and/or areas of cultural, environmental or natural significance. Specific areas where these activities are prohibited include:

- Koshigaya Park
 - Mawson Park
 - Raby Oval No 1
 - Campbelltown Sports Stadium
 - Campbelltown Showground
 - Campbelltown Arts Centre
 - Campbelltown Libraries
 - Worrell Park
 - Lynwood Park
 - Within 10 metres of turf cricket wickets – Raby Sports Complex, Memorial Oval, Bradbury Oval, Jackson Park
 - Baseball and Softball diamonds
 - Playground areas (fenced)
 - Trees/landscape areas
 - Park furniture, picnic tables, shelters, seats and benches.
 - Within 20 metres of memorials, playground equipment and public change rooms, toilets or kiosk areas.
 - Leash free dog facilities
 - Cemeteries
 - Exclusive use of public outdoor fitness equipment in parks and reserves
 - Stairways and pathways
 - Within 30m of residential properties
 - Sporting facilities (sports fields, netball courts) that are allocated to community groups and schools. Allocated community sporting groups and schools have the priority of use of sporting facilities.
 - Any public or private car park, roadway, laneway or areas that are generally used by motor vehicles
 - Commercial areas within the Campbelltown Local Government Area.
-

Appendix B

Application for Commercial Fitness Trainers

		HEALTHY LIFESTYLES Sport and Recreation	
APPLICATION FOR COMMERCIAL FITNESS TRAINER PERMIT			
<p style="text-align: center;"><small>Privacy Statement</small></p> <p>The information requested by Council on this form may constitute personal information under the Privacy and Personal Information Protection Act 1998. Council is allowed to collect the information from you to consider this matter. Supplying this information is voluntary. However if you cannot or do not wish to provide the information, we may not be able to consider the matter. If you need further details, please contact the Privacy Officer, Campbelltown City Council, cnr Queen and Broughton Streets, Campbelltown. Please note that information provided may be shared with Department of Human Services Community Services, the Police, other relevant agencies and educators, in accordance with applicable legislation.</p>			
NAME			
ADDRESS			
PHONE			
EMAIL			
COMPANY			
TRADING NAME			
ABN/ACN			
ADDRESS			
PHONE			
EDUCATION / QUALIFICATIONS			
FITNESS AUSTRALIA REGISTRATION NO		EXPIRY DATE	//
SENIOR FIRST AID		YES / NO	EXPIRY DATE //
PUBLIC LIABILITY INSURANCE		YES / NO	AMOUNT (MIN \$10M) \$
			EXPIRY DATE //
APPLICANT'S SIGNATURE		DATE	
OFFICE USE ONLY			
<small>(Originals to be sighted and copies retained by Council)</small>			
PHOTO ID (e.g. Drivers Licence / Passport)	<input type="checkbox"/>	PUBLIC LIABILITY INSURANCE	<input type="checkbox"/>
FIRST AID	<input type="checkbox"/>	FITNESS AUSTRALIA REGISTRATION	<input type="checkbox"/>
WORKING WITH CHILDREN DOCUMENTATION (if required)	<input type="checkbox"/>	APPROVED / NOT APPROVED	
PERMIT PAYMENT MADE	<input type="checkbox"/>	PHOTO PERMIT ISSUED	<input type="checkbox"/>
AUTHORISED OFFICER SIGNATURE		DATE	

Request to Use Park / Sportsground for Commercial Fitness Training

[illegible]

7. LIBRARY SERVICES

No reports this round

8. GENERAL BUSINESS

8.1 Historical Data and Photos

Councillor Oates referred to Council's historical data and photos (digital and hardcopy) and asked if Council has appropriate protection of these files including fire protection.

Council's Manager Library Services advised that Council's resources are backed up through servers and on cloud based systems. Hard Copy files are stored at an offsite location and would be protected by existing fire protection systems in place. Currently a Facilities Plan is being developed and this information will be incorporated into the plan.

Committee's Recommendation: (Oates/Glynn)

That the Facilities Plan include the following information regarding suitable protection methods for Council's historical data:

- a) what Council can do to improve protection of historical information
- b) what timelines are required for the improvement works to be completed
- c) all related costs involved.

CARRIED

Council Meeting 17 November 2015 (Rowell/Glynn)

That the Committee's Recommendation be adopted.

Council Resolution Minute Number 213

That the Committee's Recommendation be adopted.

22. CONFIDENTIAL ITEMS

No reports this round

There being no further business the meeting closed at 5.49pm.

T Rowell
CHAIRPERSON
